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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matthias KOCH et al.

Serial No.: 10/587,299

Group Art Unit: Unknown

Filed: July 26, 2006

Examiner: Unknown

For: NANOPARTICLES

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
  - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
  - ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- ☐ a final action under 37 C.F.R. § 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2);
  - ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an international search report dated \_\_\_\_\_.
- ☐ Not required by 37 CFR § 1.98.
- ☒ Copies of the materials listed are attached.

Non-English Language References

☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

Other Information

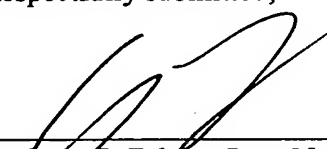
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☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

  
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Attorney Docket No.: MERCK-3215

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

## **Complete if Known**

Application Number	10/587,299
Filing Date	July 26, 2006
First Named Inventor	Matthias KOCH et al.
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	MERCK-3215

Sheet 1 of 1

## **NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	KHRENOV, V. et al., "Surface Functionalized ZnO Particles Designed for the Use in the Transparent Nanocomposites," Nov. 2004-Jan. 2005, pgs. 1-19.	
	C2	WILLERT, Mirjam et al., "Synthesis of Inorganic and Metallica Nanoparticales by Miniemulsification of Molten Salts and Metals," Chem. Mater., 2001, pgs. 4681-4685, vol. 13 no. 12, American Chemical Society.	
	C3	GAUTHIER, Mario et al., "Sulfobetaine Zwitterionomers Based on <i>n</i> -Butyl Acrylate and 2-Ethoxyethyl Acrylate: Monomer Synthesis and Copolymerization Behavior," Journal of Polymer Science: Part A: Polymer Chemistry, 2002, pgs. 511-523, vol. 40, John Wiley & Sons, Inc.	
	C4	WORMUTH, Klaus, "Superparamagnetic Latex via Inverse Emulsion Polymerization," Journal of Colloid and Interface Science, 2001, pgs. 366-377, vol. 241, Academic Press.	
	C5	OSSEO-ASARE, K. et al., "Microemulsion-Mediated Synthesis of Nanosize Oxide Materials," chapter 18, pgs.549-603.	
	C6	KENT, Paul et al., "The Role of Added Electrolyte in the Stabilization of Inverse Emulsions," Journal of Colloid and Interface Science, 2001, pgs. 437-442, vol. 242, Academic Press.	
	C7	LANDFESTER, Katharina, "The Generation of Nanoparticles in Miniemulsions," Advanced Materials, May 17, 2001, pgs. 765-768, vol. 13 no. 10, Wiley-VCH, Weinheim.	
	C8	PILENI, M.P., "Reverse Micelles as Microreactors," Journal of Physical Chemistry, 1993, pgs. 6961-6973, vol. 97 no. 27, American Chemical Society.	
	C9	LEE, Mei-Hwa et al., "Synthesis of Spherical Zirconia by Reverse Emulsion Precipitation: Effects of Surfactant Type," Korean Journal of Chemical Engineering, Nov. 1999, pgs. 818-822, vol. 16 no. 6.	
	C10	TAI, Clifford Y. et al., "Control of Zirconia Particle Size by Using Two-Emulsion Precipitation Technique," Chemical Engineering Science, 2001, pgs. 2389-2398, vol. 56, Elsevier Science Ltd.	
	C11	LEE, Mei-Hwa et al., "Synthesis of Spherical Zirconia by Precipitation Between Two Water/Oil Emulsions," Journal of the European Ceramic Society, 1999, pgs. 2593-2603, vol. 19, Elsevier Science Ltd., Great Britain.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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